

# MEMO ENDORSED

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August 4, 2022

Via ECF

Hon. Valerie E. Caproni, U.S.D.J.  
United States District Court, Southern District of New York  
40 Foley Square  
New York, NY 10007

USDC SDNY  
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Re: *Kwasnik v. Oxford Health Insurance, Inc., et al.* Civil Action No. 1:22-cv-04767-VEC

Dear Judge Caproni:

On this day I have received oppositions of both Defendants to plaintiff's Motion to Remand. Plaintiff will file replies within the time set by the Court.

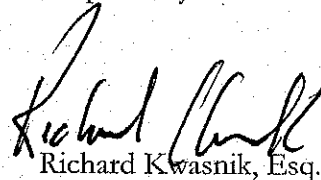
My concern is that Defendant IPRO has published sensitive medical information relating to plaintiff. This was not necessary nor was there an implied waiver because all that was needed was the actual external review holding.

Unfortunately, the same is true with Defendant's Oxford's exhibits.

I respectfully request that the exhibits file today by both Defendants be sealed.

Thank you for your consideration of this matter.

Respectfully submitted,

  
Richard Kwasnik, Esq.

cc: Jennifer M. Horowicz, Esq. (via ECF)  
Michael H. Bernstein, Esq. (via ECF)

Application DENIED without prejudice. Plaintiff's Letter-Motion to seal fails to identify what information and/or exhibits included in Defendants' opposition brief require sealing.

IT IS HEREBY ORDERED that the parties must meet-and-confer over confidentiality and sealing, bearing in mind the standard set forth in *Lugosch v. Pyramid Co.*, 435 F.3d 110 (2d Cir. 2006).

IT IS FURTHER ORDERED that any motion to seal must be filed by no later than **August 11, 2022**; oppositions, if any, are due by no later than **August 15, 2022**. Requests to seal are to be handled pursuant to Rule 5 of the Court's Individual Practices.

SO ORDERED.



Date: 8/8/2022

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE